



Taunton Municipal Airport Commission
MINUTES OF MEETING
January 26, 2022

Commissioners:

Robert Adams - Chairman
Richard Griffith - Vice Chairman
Kenneth Gibson
Jonathan LeMaire
Stephen Rogers
Burton Schriber
Zena Shivers

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2022 FEB 28 P 12:36

Airport Manager: Interim Richard A. Griffith

Treasurer/Secretary Dianne Tavares

Meeting called to order at 7:00 P.M.

1. Roll call taken: Robert Adams - present
Richard Griffith - present
Ken Gibson - present
Jon LeMaire - present
Steve Rogers - present
Burton Schriber - present
Zena Shivers - present

Bob addressed the majority of the commission. Bob has been doing this for pretty close to thirty years. He has worked with a lot of different commissioners. We have a tight group. The commissioners work together as a team. Bob appreciates the hard work that is being done. You do your homework, you review the rules and regulations. You bring solutions to Bob all the time. The problems are there but you are bringing Bob solutions. That is priceless. Thank you.

Burton would like to thank Bob for allowing him to chair the sub-committee for the budget. The committee had a preliminary meeting with Steve and Zena and himself. They came up with a very good list of items to review and Burton thinks it will have a major impact on the budget for the airport.

The above represents the author's recollection of the meeting discussed and agreements made. Please notify the author of any errors or omissions within one week of issuance, otherwise this record shall stand as an accurate Representation of the meeting.

2. Airport Engineers: Airport Solutions Group – Craig Schuster

This memo describes the current status of miscellaneous engineering and planning projects at the Taunton Municipal Airport as of the date indicated above (January 26, 2022)

1. Install Oil Water Separator – Phase 2 – (1 Unit)

The installation of the oil water separator was started on December 8, 2021 and was completed on December 10, 2021. The contractor, G. Lopes Construction, has to come back in the spring to apply seeding. Once seeding has been applied and growing a final inspection will be coordinated with the FAA, MassDOT Aeronautics, and the airport.

Project Cost:	\$202,195.08
FAA Share:	\$202,195.08
MassDOT Share:	-0-
TAN Share:	-0-

2. Runway 12-30 Runway/Taxiway Separation Standards Feasibility Study

Project has been completed. ASG has prepared the FAA closeout documentation which was sent to the FAA, by the Airport, for review. Once FAA has approved the closeout documents then final payment can be issued.

Estimate Project Cost:	\$92,800
FAA Share:	\$92,800
MassDot Share:	-0-
TAN Share:	-0-

3. Cold Storage Building (ASMP)

The Taunton Municipal Airport (TAN) is seeking funding assistance under the MassDOT Aeronautics Division's Airport safety and Maintenance Program (ASMP) to purchase and install a cold storage shelter to store and maintain its (overflow) fleet of equipment. The proposed cold storage shelter (42' x 40' x 17H) will be made of steel members with a heavy canvas material covering the frame (e.g. Quonset hut "type" structure). The structure will be mounted onto 2-foot high concrete blocks to allow for protection of the structure from winter conditions and to gain additional clearance height for vehicles. A manual rollup overhead door (16' x 16') is proposed for ease of moving equipment to / from the structure. The concrete blocks will be placed on a bed of stone dust, and a gravel access road will be constructed to access the building from Westcoat Drive. A new swing gate is also proposed.

An ASMP grant application was submitted on September 13, 2021, to MassDOT for consideration of funding.

ASG attended a meeting with MassDOT Aeronautics and the FAA on January 18, 2022, to discuss cold storage buildings in general. MassDOT is concerned there is a FAA process to follow and wanted FAA's input on that process. If not already shown on the Airport's Airport Layout Plan (ALP) and Master Plan, then it needs to be on the ALP and provide a written justification for the location and need for a cold storage building. ASG is in the process of trying to figure out what effort will be required.

4. FUEL FARM PERMITTING (ASMP)

This project is intended to perform a preliminary design in order to obtain environmental permits / approval for a future project to construct a new Fuel Farm at the Taunton Municipal Airport (TAN) in Taunton, Mass. The new fuel farm would include two above-ground fuel tanks: one 10,000 gallon Jet-A-tank, and one 10,000 gallon AVGAS tank. The system would also include separate pumps and ancillary equipment to receive fuel deliveries from bulk fuel delivery trucks and to dispense fuel into a mobile fuel truck. It is also proposed for the tanks and equipment to be contained within a dike to contain a potential fuel spill, and that the bulk fuel delivery truck will unload on a new poured concrete pad.

An ASMP grant application was submitted on September 13, 2021 to MassDOT for consideration of funding. ASG is waiting to hear back from MassDOT.

3. Secretary Report – November 8, 2021, November 17, 2021, and December 9, 2021 as distributed.

Ken made motion to not accept reports due to errors.

4. Treasurer's Report – December 29, 2021

Monthly Income	-	\$22,171.03
Monthly Expenses	-	<u>(\$ 3,617.18)</u>
Cash Flow		\$18,553.85

Current Balance 25	-	\$68,342.60
20 Grants Ledger	-	<u>(\$ 3,721.46)</u>
22 Grants Ledger		
01 Payroll Acct.	-	<u>\$15,691.50</u>
Annual Net		\$ 1,917.28

Treasurer's Report – January 26, 2022

Monthly Income	-	\$10,733.06
Monthly Expenses	-	<u>(\$ 8,739.74)</u>
Cash Flow		\$ 1,993.32

Current Balance 25	-	\$71,452.82
20 Grants Ledger	-	<u>\$ 2,604.56</u>
22 Grants Ledger		
CRRSA/Rescue		\$45,000.00
01 Payroll Acct.	-	<u>\$13,758.50</u>
Annual Net		1,977.60

Ken asks what the \$6,000.00 expenditure is. It is Dianne Tavares contract.

Ken made motion to accept December 2021 and January 2022 reports pending audit

Dick: seconded

All in favor pending audit: yes

4. Airport Manager's Report:

1. Westcoat Drive – The electrical repair to Gate 5, hopefully will be done tomorrow and we can have the gate working by the weekend. Right now we are opening and closing manually daily.

2. SRE lights have been repaired. A couple of months ago all the lights on the outside of the building were out. We called Cullen Electric to come in to repair. Now everything is working.

3. TMLP has repaired the road lights on the east and west side. A few of them are still out. They have fixed the majority of them, but they are waiting for parts to come in.

4. Garage door in the SRE building, middle door that was broken, a year ago it was \$5,000.00 to fix it, today it is \$8,000.00. Dick called the contractor in just to look at it. Dick thought we could just change the motor. The contractor refused to do it. The door is bent and not going up and down correctly. The contractor mentioned that could have burnt the motor out. We are back to square one, we don't know what to do with it.

Craig – on the matter of the door, Owen from MassDot, reached back out with an email asking what is going on with the door. Craig suggests someone call Owen and talk to him about the justification for repairing the door.

5. Heat in the garage has been repaired. It has been out for a few months.

Bob – We are converting the heat to natural gas. Switching over. A lot of the parts are going to be taken out. Is it worth fixing it?

Ken, replies it is fixed. It was the thermostat.

Per Dick, there are three pieces that need to be converted. Right now the heat is working.

Burton asks if we have gas there yet.

Per Kenny and Bob, it is in the process.

6. Natural gas is coming in, they are working on it now. Westcoat Drive is done, they were working on Middleboro Avenue today. Until the building is up Dick does not think we will see it until next winter.

Burton asks if the heat in the garage is propane and is that going to be switched to natural gas. Burton asks if Dick has any idea when that will be done.

No, because what we understand, no one wants to touch the system. The equipment is old and no one wants to be responsible for converting it over. It is on the list to be done, we don't know exactly when yet.

Per Kenny, that is part of the project that is going on. The weekly construction meeting we have with the building this is being addressed. There are actually 31 contractors in the state of Massachusetts that handle this. That is part of the project that is being taken care of.

The only reason Burton is asking is because this is what Steve and Zena were talking about.

It will be converted over is Kenny's answer.

With the budget the committee needs to understand that is Burton's reply.

There are three pieces in there, two heaters in the garage and the furnace upstairs are the units that need to be converted is Dick's reply. They will be done, Dick just doesn't know when.

The East Road access was repaired. We brought in some fill to fix that area. The material was delivered. Our guys worked on it, and compacted it. Dick just wanted to say thank you to Donnie Almeida. Donnie Almeida stepped forward and paid for it.

Steve Roger mentions that he drove down there and it looks good.

The fuel left in the tank is around 4,000 gals. Which will probably take us through February. We checked prices today, price is \$4.67. Dick does not know what the price will be when we go to purchase. All the lights are working on the runway everything is up to date.

Burton assumes that all the lights in the new building are going to be LED. What about the SRE building. Are those LEDs?

As the lights go out we are converting to LED is Dick's answer. The lights on the outside of the SRE that were not working, if it was something simple, we would fix it, other than that we changed them over to LEDs.

When you change them over to LEDs, do you have to change the fixture or changing the bulb Burton asks.

Per Dick, it depends on the fixture. Some you can, some you cannot, but everything is working. Before nothing on the outside was working.

Bob thanks Dick, and mentions he appreciates Dick getting up at 6 every morning to open the gate, while we are waiting for the gate to get fixed. Dick is thanked by the other commissioners.

6. Old Business

1. Charles Wright – Not present. So noted.
2. Raven Storage, LLC

Mr. Nation is present. Before we start, Bob tells Mr. Nation that the commission has a new lease offer in front of him. It was proposed to Raven Storage, LLC. It is being discussed with Mr. Nation's attorney and the commission's attorney. It is in the attorney's hands so the commission cannot make a determination at this time, but we are open to hear everything you have to say.

Mr. Nation is in agreement to this. Mr. Nation asks if the commission are the deciders.

Per Bob, the commission will listen to everything Mr. Nation has to say, it is just that the commission cannot make a determination.

As far as the lease goes, Mr. Nation cannot do a five year lease. This just forces him to remove his hangar. It is the only action that makes any sense. Making it a five year lease drops the value of that hangar down to the value of a T-hangar. Mr. Nation will not be able to sell it, he will have to hang in there for five years, and it just doesn't work. A five year lease on a building like this is not doable for anybody. His goal is to put in the septic system, right the hangar so it is properly permitted and sell it. Mr. Nation has two potential buyers. They both will be flying twin engine aircraft. His hangar has been there for 20 years and will be there for another 60 years probably, to have it go away just seems to be a terrible waste, but that is what Mr. Nation is forced to do. That is about all Mr. Nation has to say until there is a decision. It would be nice if these decisions could be made. Mr. Nation brought his attorney here to present a chain of events. There was never one threatening word, or a hint of legal action. His attorney was there because he is a good explainer, actually very good explainer, because he got a unanimous vote out of everybody to continue on with what he is doing. He would like to finish up, clean the place up and sell it to someone actually using it. So we are back to the legal thing. There is no legal thing. To take the communication away with the airport's lawyer is counterproductive. He never intended to take the communication away. He saw that happening, and kind of figured it might. He thought when they left that night he was all set until we came up with the five year lease and paying for the space out to the road. That is another thing. That is an easy solved problem where both the airport and hangar 9 benefit by cutting it in half. So you would have a 25 foot line from the back of the hangar that would encompass everything including the well. There is only one well on 9. The other half would be for the city if they want to do utilities. The lawyer talked about needing 20 feet. So if hangar 9 could pay for 25 feet and the other 25 feet would be the cities. So now we wait for 2, 3 weeks for the lawyers to talk.

Per Bob, it has been advised because Mr. Nation brought in his attorney to address it, letters are going back and forth with the attorneys. The airport has been advised to leave it with them. The commission will take it under advisement.

Kenny would like to offer some clarification. We need to make sure everyone is understanding about these leases and the ongoing part of them. When you talk about a five year additional lease, not an initial lease, we are looking at a foot print of a building. This is just from other airports, talking to the FAA, talking about other leases in every airport in the state of

Massachusetts. The bottom line is you have to consider the original salvage value. So the building that Mr. Nation put up was twenty years ago. Everything goes down to a salvage value and that comes straight from the FAA. When you renew a new lease on a building, there is only a certain point, even though we all know you paint the building again, if you add another 5 or another 10, you are saying the life span of that building is now 30 years. Yes in the real world these buildings can last 60, 100, 200 years. The FAA has passed on some documentation that we have to pay attention to. There is a certain salvage value where no longer that building you can keep equating it that way. There comes a term limit that we have to think about. This is why these leases now, not new construction but old construction that we want to review. You need to look at the term you are putting into place. The five year lease can have an extension because what we are talking about is the difference between real property which would be owning the land and then owner's stuff which is what you don't own. This is what the commission has to focus on to write these leases. There is no interest in doing double twenty years leases any more. This is actually coming down from the top. The compliance issue, when it was exposed about what was put on that property, when it comes down to the big picture and compliance is the biggest two words that we have to look at is grant assurances. The illegal septic system can destroy the grant assurances. That is the truth of the matter. Bringing it into compliance was what we tried to work on as a group. There are some things that people were twisting statements, simple stuff like where is it, what was there what was tested. We got beyond that. We are now to the foot print where before the lawyers got involved with this, was a simple foot print. That small 300 sq. foot addition would have been a simple under a \$1,000 a year to tack onto this lease and we could have moved forward. Then the first correspondence that we got back from your lawyer was absolutely not, that was not going to happen. That is where all this went from.

So you are saying the FAA is telling you how much, how many years you can lease a building asks Mr. Nation.

It is actually in the leases and it has been around for a while and that is a concern for Kenny. There is a salvage value that has to go with these buildings.

That building is good for 60 years per Mr. Nation if not more.

Ken - That is not what they look at.

Mr. Nation wants to know what they have to do with it.

Ken - We could get into it later, but you don't want to hear that piece of it.

Mr. Nation proposed his septic system was 450 sq. ft. His new proposal would be 1,110 sq. ft. That runs a line right down middle. Mr. Nation's attorney was reacting to the lease he received in an email two weeks after he was told his lease was cancelled. His attorney was going back on that. You added 3,200 sq. ft. right out to the road. Then with some story about water and sewer, utilities. It doesn't pass the giggle test. If we run a line right down the middle, you have your easement and he has all the protection. About the penalization, it was mentioned in a letter because of what he had done to the land. Mr. Nation has not done anything to the land. There is

no damage, there is no contamination, and there is no nothing. It probably is the nicest looking property in the entire airport. Because there was a septic system there, he is going to go from having a \$350,000 hangar to a \$75,000, \$100,000 hangar. The FAA is to fault because now it is just rubbish.

Does anyone have any question for Mr. Nation?

7. New Business

Bob wants to recognize Burton Schriber, Zena Shivers and Steve Rogers. They have put together an Airport Revenue Generating Sub-Committee. Burton has graciously offered to chair it. Bob knows that you have already had a meeting last week. What we are asking you to do is review the lease rates, and the terms. Bob would like you to go over the terms to make sure the airport is in compliance with the FAA. FAA with in the last 10 years made a couple switches to the lease, they have made some adjustments. We have to make sure the leases are in compliance with the new changes.

You have a letter in your packet from Jeff Terra Hangar Trust. The T- Hangar unit has 6 units and two storage units. The airport is getting first right of refusal. They are offering it to the airport first before they put it on the market. Bob would like the committee to review it, see if it is feasible. We are giving up a lease agreement as income to the airport. If the airport starts renting it out to pilots at the going rate is it feasible. Get the information back to the council if it is a plus. If it is revenue generating that we could do. The commission will decide if they want to pursue it. Bob will get in touch with the FAA and the commission will start looking at grants to buy the unit. One thing to keep in mind is where we are talking about a Cold Storage Building, the two end units might be a plus for the airport not to spend the money on a Cold Storage unit and use the two end units to store some of our seasonal equipment.

Burton would like to know how the committee gets details about the property. Who is in the hangars now? Are they renting?

Bob will get them the information.

Next under new business. The contract is up for the existing fuel that we have now. We are required to issue a request for proposal. We are looking for a five year contract with a fueler. It is negotiable so they can come in and give the best offer. We are looking at putting two 10,000 gallon tanks above ground.

Ken would like to go back to #6 Old Business - Charles Wright. Mr. Wright gave the commission a letter and Ken thinks this is important to address. One - he is not here, two - Kenny wants to put this to bed. Kenny is to read the FAA response to the parking issue to put it into the minutes.

This is in regards to the parking issue Mr. Wright has colored quite extensively. We have received a letter back, it seems that he sent information up to the FAA and they came back with a letter that Kenny will read into the minutes.

Dated January 14, 2022

Dear Mr. Adams,

The airport has had over the past several year's issues with non-aeronautical equipment and vehicles being left or stored on airside areas of the airport. At your request I have reviewed the lease and your standard operating policies and procedures regarding your most recent issue you have had with the tenant storing non-aeronautical equipment adjacent to their T-Hangar unit. These are my findings.

I have reviewed the lease you have provided for multi-unit T-Hangar. Part 4, leasee obligations outlines the requirements that leasee must follow.

First paragraph item one in this section states:

Leasee is obligated to follow all rules and regulations of federal, state, local and airport requirements.

As such the airport's SOPP is one of the items that must be followed. The airside area of the airport is used for the maneuvering of aircraft to and from hangars and the runway.

Non-aeronautical equipment and vehicles can impede aircraft movement on the airside area.

The SOPP addresses the needs to keep the airside clear of such equipment and vehicles under section 3.9.4 restrictions.

"No lease property, buildings or structures are erected on the airport shall be utilized for storage of non-aviation equipment such as automobiles, boats, trailers, recreation vehicles or farm equipment unless applied for through the TMAC and specifically permitted by license agreement. A Leasee does not have the right to remove fixtures (i.e light fixtures, fire suppression equipment, radio speakers, etc.) annexed to or incorporated in facilities owned by the City of Taunton."

The airport meets their federal grant obligations under grant assurance 19th operations and maintenance by enforcing this restriction in continuing the airside area free of non-aeronautical equipment or vehicles allows the safe and efficient movement of aircraft.

On a final note the lease is the legal contract between the airport and the tenant. If the tenant is unwilling to comply with the requirements outline in lease imposes a safety risk the airport has the legal right to address the issue.

If there are any further questions regarding this issue, please contact me at the number listed on the document.

Sincerely,
Jorge E. Panteli
Compliance and Land Use Office, FAA

With that being said Kenny wants to make it very clear. We had discussed this and talked about it and all the noise he wanted to raise. The issue was he wanted to park his stuff on a more than temporary or short term basis on the airside. This letter confirms what we have already said going forward. Ken made a motion to close this matter today. There is nothing more than the

short time that the commission has confirmed is 72 hours on the airside of the field. We will revisit long term parking once the new building is complete and the parking lot where we have an established place with fair market dollar figures for long term parking. That is Kenny motion.

All in favor, matter closed.

Jon has a question about this. What about all the other things that are stored on this airport and in the buildings. If we are going to go after one, we have to go after all.

Per Kenny that is what the manager's job is to do. To go and shake it down. The FAA comes down. We are talking specifically, let's keep it on point. Specifically was the issue of parking outside of the hangar. That is what Mr. Wright raised. He did not raise about stuff inside his hangar, specifically taking about Mr. Wright and the parking issue.

Jon - This does not say specifically Mr. Wright.

No, but that is the letter that came down in response to Mr. Wright raising the issues that we have.

Bob - Correspondence was sent to the FAA. Everything that Chuck wrote, everything that is compiled was sent to the FAA to review and give the airport a determination if the airport was correct to enforce the parking that the FAA had. What the FAA had from 2016 rules and regulations that said a person can park inside the hangar if it does not impede aeronautic use. They can take the plane out and park in there when they are out flying, but they cannot bring in vehicles, campers and storage units and leave them on the airport long term that is what the commission is addressing.

Per Kenny this issue is done.

Jon has something on new rates and terms. The deal with Raven, Jon can understand. Moving forward we have a lot of building on this airport that aren't nearly worth what his is. Are you saying Kenny, that when these t-hangars come up for renewal, these associations are only going to be offered a five year lease?

Per Kenny, that is what we have to start looking into. This is why we have these lease rates and terms. Something that is not going to be a simple fix. This is the new way that we have to look at stuff with the FAA. It is something that we are going to have consider. A lot of other airport are running into the same situations where law suits are happening because it was not properly interpreted. The decrepit hangars we have on the airport now there could be an issue.

Jon - Everyone's investment is going to be worth nothing. You will never get financing to sell them. The mangers that Jon has spoken to have never mentioned of such.

Per Kenny, if you had been at the MAMA conference you would have been shocked like Kenny was when the lawyers started talking about this. It something that the commission need to put on an agenda. Everyone should start looking into it.

Nothing is going to get done without all of the commission voting on it per Steve.

Jon questions what the FAA has to do with it. It is our land.

8. Executive Session

Moving on we have to go into an executive session to discuss full/part-time employees, we need a roll call vote to go into executive session.

Roll Call:

Burton – yes

Zena – yes

Steve – yes

Jon – yes

Dick – yes

Kenny – yes

Roll Call vote to come out of executive session.

Burton – yes

Zena – yes

Steve – yes

Jon – yes

Dick – yes

Kenny – yes

Next on the agenda

9. Public Input

10. Motion to Adjourn – Kenny

Seconded: Steve

Next Regularly Scheduled Meeting: February 23, 2022, at 7:00 P.M. in the Taunton City Council Chambers, 15 Summer Street, Taunton, Massachusetts 02780. Individuals with disabilities, who require assistance or special arrangements to attend, please contact the Airport Manager at 508-821-2973. We request that you provide a 48-hour notice so that the proper arrangements may be made.